

## ABSENT—2.

Simkins, Townsend.

On motion of Senator Lane the special order was suspended, and

Senate bill No. 43, a bill to be entitled "An act to purchase State convict farm and improve the same and work convicts thereon, and to make an appropriation therefor,"

Was laid before the Senate and read the third time.

Senator Johnson moved to

Amend by striking out "ten thousand acres" and insert in lieu thereof "six thousand acres," and strike out "two hundred thousand dollars" and insert in lieu thereof "one hundred and twenty thousand dollars."

Senator Stephens moved to

Amend the amendment by striking out the words "one hundred and twenty thousand" and inserting in lieu thereof "seventy-five thousand dollars, to be used for the purpose of purchasing five thousand acres of land for such farm, and the sum of forty-five thousand dollars for stocking and improving said farm."

The amendment to the amendment was lost.

Senator Johnson's amendment was lost by the following vote:

## YEAS—11.

Armistead,	McDonald,
Burges,	Seale,
Cranford,	Simkins,
Jarvis,	Stephens,
Johnson,	Townsend,
Kimbrough,	

## NAYS—15.

Abercrombie,	Ingram,
Allen,	Lane,
Atlee,	Morris,
Burney,	Pope,
Claiborne,	Tyler,
Field,	Upshaw,
Frank,	Woodward,
Harrison,	

The bill passed by the following vote:

## YEAS—17.

Abercrombie,	Kimbrough,
Allen,	Lane,
Atlee,	McDonald,
Burney,	Morris,
Claiborne,	Pope,
Field,	Seale,
Frank,	Upshaw,
Harrison,	Woodward,
Ingram,	

## NAYS—8.

Armistead,	Johnson,
Burges,	Simkins,
Cranford,	Stephens,
Jarvis,	Tyler,

## ABSENT—1.

Townsend.

On motion of Senator Upshaw the Senate adjourned till Monday morning 10 o'clock, by the following vote:

## YEAS—16.

Abercrombie,	Lane,
Armistead,	McDonald,
Atlee,	Morris,
Burges,	Pope,
Cranford,	Seale,
Frank,	Simkins,
Harrison,	Upshaw,
Johnson,	Woodward,

## NAYS—9.

Allen,	Jarvis,
Burney,	Kimbrough,
Claiborne,	Stephens,
Field,	Tyler,
Ingram,	

## ABSENT—1.

Townsend.

## TWENTY-EIGHTH DAY.

SENATE CHAMBER,  
AUSTIN, February 11, 1889.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Kimbrough,

The reading of the Journal of Friday was dispensed with.

On motion of Senator Davis,

The Secretary, C. M. Boynton, was excused for to-day on account of sickness.

On motion of Senator Frank,

Senator Field and the Assistant Doorkeeper, G. W. Fitzhugh, were excused for to-day.

On motion of Senator Upshaw,

Senator Harrison was excused until Wednesday on account of important business.

## PETITIONS AND MEMORIALS.

By Senator Tyler:

Petitions from five hundred and twenty-five volunteer firemen, representing twenty-three cities and towns in Texas, asking for the passage of the bill exempting firemen from jury duty.

Referred to Committee on State Affairs.

By Senator Claiborne:

Petition of citizens of Matagoraa county in opposition to the occupation tax law.

Referred to Committee on Finance.

By Senator McDonald:

Petition of citizens of Lamar county in opposition to the occupation tax law.

Referred to Committee on Finance.

By Senator Kimbrough:

Petition of J. N. Floyd and fifty-two other citizens of Garland, Dallas county, asking the repeal of occupation taxes.

Referred to Committee on Finance.

By Senator Armistead:

Petition of citizens of Morris county on same subject.

Referred to Committee on Finance.

By Senator Ingram:

Petition of citizens of Shelby county on same subject.

Referred to Committee on Finance.

By Senator Sims:

Petition of citizens of Coleman county, on same subject.

Referred to Committee on Finance.

By Senator Lane:

Petition of citizens of Bastrop county on same subject.

Referred to Committee on Finance.

By Senator Upshaw:

Petition of citizens of Milford, Ellis county, on same subject.

Referred to Committee on Finance.

By Senator Kimbrough:

Petition of Padgitt Bros. and fifty other firms of the city of Dallas on same subject.

Referred to Committee on Finance.

By Senator Jarvis:

Petition of the ldermen of the city of Fort Worth, asking for a special charter for said city.

Referred to Committee on State Affairs.

By Senator Townsend:

## COMMITTEE ROOM,

AUSTIN, February 9, 1889.

*Hon. T. B. Wheeler, President of the Senate;*

Your Committee on Public Buildings and Grounds, to whom was referred

Senate bill No. 255, entitled "An act to prevent the opening up of public roads across land owned and used or for actual use by State educational, eleemosynary or other public State institutions without the consent of the State, and to close roads heretofore opened across such grounds whenever the State deems it necessary,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

Bill provides as above.

All of which is respectfully submitted.

TOWNSEND,  
Chairman.

Bill read first time.

## COMMITTEE ROOM,

AUSTIN, February 9, 1889.

*Hon. T. B. Wheeler, President of the Senate;*

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 225, entitled "An act to amend article 179, chapter 4, of an act entitled an act concerning miscellaneous offenses affecting the right of suffrage,"

Which bill provides that the statute prohibiting the keeping of an open bar room on election day shall not apply to elections at which only city or town officers are elected in cities or towns containing not more than ten thousand inhabitants,

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

TOWNSEND,  
Acting Chairman.

Bill read first time.

Senator Frank sent up the following minority report:

## COMMITTEE ROOM,

AUSTIN, February 11, 1889.

*Hon. T. B. Wheeler, President of the Senate;*

A minority of Judiciary Committee No. 2, to whom was referred

Senate bill No. 225, entitled "An act to amend article 179, chapter 4, of an

act entitled an act concerning miscellaneous offenses affecting the right of suffrage," differing in the views expressed by a majority of said committee on said bill in its favorable report on same, beg leave to file this minority report and our objection to the passage of said bill.

We oppose the passage of said bill for the following reasons:

First. We consider it a dangerous practice to be continually amending and changing our statutes, unless serious evils exist and wholesome improvement on such statutes can be accomplished by such changes.

Second. This bill seeks to make an exception to a general law which requires all liquor saloons to be closed on election day, and provides that saloons may be kept open in cities and towns of ten thousand inhabitants or less on election day, when municipal elections only are held.

Three. We deem the law as it now stands, prohibiting any liquor saloon to be open on any election day—a wise and wholesome law, one founded in good morals, and calculated to preserve the purity of the ballot, and we regard the amendment proposed in this bill as a most dangerous innovation upon the peace, quiet and good morals of the country, and a precedent calculated to lead to most dangerous and disastrous results; wherefore we file this minority report and ask that it be substituted for the majority report, and that said bill do not pass.

All of which is respectfully submitted.

FRANK,  
ABERCROMBIE,  
FIELD,  
ATLEE.

By Senator Abercrombie:

COMMITTEE ROOM,  
AUSTIN, February 9, 1889.

*Hon. T. B. Wheeler, President of the Senate:*

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 224, entitled "An act to amend article 500, chapter 3, title XV, of the Penal Code of the State of Texas,"

Which seeks to punish any person convicted of an assault with intent to murder, by confinement in the penitentiary of not less than two nor more than twenty-five years, and provides that the punishment shall be doubled if the assault be made with a bowie knife, or dagger, or in disguise,

Have had the same under consider-

ation, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

ABERCROMBIE,  
Chairman.

Bill read first time.

Senator Seale sent up the following minority report:

COMMITTEE ROOM,  
AUSTIN, February 11, 1889.

*Hon. T. B. Wheeler, President of the Senate*

The undersigned minority of your Judiciary Committee No. 2, to whom was referred

Senate bill No. 224, entitled "An act to amend article 500, chapter 3, title XV, of the Penal Code of the State of Texas,"

Dissenting from the majority report of said committee, beg leave to submit this minority report thereon.

The object of the bill is not to increase the minimum punishment of assault to murder, but only to authorize a greater maximum punishment. We submit that the maximum punishment of seven years now prescribed by law is inadequate to meet the gravity of the crime in many instances and is not commensurate with punishments prescribed for other offenses. We believe the principle involved in the bill to be right and ought to become the law.

SEALE,  
FRANK,  
TYLER,  
WOODWARD.

By Senator Allen:

COMMITTEE ROOM,  
AUSTIN, February 8, 1889.

*Hon. T. B. Wheeler, President of the Senate:*

Your Committee on Federal Relations, to whom was referred

House bill No. 16, entitled "An act to create a board of arbitration to settle and determine the controversy between the United States and the State of Texas, relating to certain territory by them respectively claimed, and to make an appropriation therefor,"

Have had the same under consideration and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

ALLEN,  
Chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, February 8, 1889.

*Hon. T. B. Wheeler, President of the Senate:*

Your Committee on Federal Relations, to whom was referred

Senate bill No. 103, entitled "An act to create a board of arbitration to settle and determine the controversy between the State of Texas and the United States relating to certain territory by them respectively claimed,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do be considered in connection with House bill No. 16, on the same subject, this day reported favorably.

All of which is respectfully submitted.

ALLEN,  
Chairman.

Bill read first time.

By Senator Lane:

COMMITTEE ROOM,  
AUSTIN, February 11, 1889.

*Hon. T. B. Wheeler, President of the Senate:*

Your Committee on Roads and Bridges, to whom was referred

Senate bill No. 253, entitled "An act to require convicts to the penitentiary of the State to work upon the public roads of this State, and upon the public streets of incorporated cities, towns and villages within which any of the penitentiaries of this State may be situated, and to enforce the same by proper penalties,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

LANE,  
Chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, February 8, 1889.

*Hon. T. B. Wheeler, President of the Senate:*

Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 249, entitled "An act to authorize the commissioners' courts of this State to employ a road supervisor for their counties, to define the duties of such road supervisor,

and to enforce obedience to his lawful orders,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it be considered in connection with Senate bill No. 92, on the same subject.

All of which is respectfully submitted.

LANE,  
Chairman.

Bill read first time.

By Senator Pope:

COMMITTEE ROOM,  
AUSTIN, February 11, 1889.

*Hon. T. B. Wheeler, President of the Senate:*

Your Committee on Internal Improvements, to whom was referred

Senate bill No. 247, entitled "An act to ratify and confirm the title of the Gulf, Colorado and Sante Fe Railway Company to the Central and Montgomery railroads, extending from Navasota to Montgomery, and to the Chicago, Texas and Mexican Central Railroad, extending from Cleburne to Dallas, and to property of the companies which constructed the same, and to authorize the Gulf, Colorado and Sante Fe Railway to own and operate said roads under its own charter,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

POPE,  
Chairman.

Bill read first time.

#### BILLS AND RESOLUTIONS.

By Senator Jarvis:

A bill to be entitled "An act to incorporate the city of Fort Worth, and to grant a new charter to said city."

Referred to Committee on State Affairs.

By Senator Kimbrough:

A bill to be entitled "An act to incorporate the city of Dallas, and to grant it a new charter."

Referred to Committee on State Affairs.

By Senator Glasscock:

A bill to be entitled "An act fixing the terms of the district court in the Twenty-sixth judicial district."

Referred to Committee on Judicial District.

A bill to be entitled "An act to protect hotel and boarding house keepers.

Referred to Committee on State Affairs.

By Senator McDonald:

A bill to be entitled "An act to amend article 2219 of the Revised Civil Statutes."

[This bill provides that in taking depositions, if the witness is about to leave the State or county then the commission may issue and the deposition be taken and returned after one day's notice to the adverse party; and that whenever the adverse party is a corporation or a joint stock company, service may be made upon the president, secretary or treasurer or upon the local agent, or by leaving a copy of the notice and attached interrogatives at the principal office of such corporation or association during office hours.]

Referred to Judiciary Committee No. 1.

By Senator Jarvis:

A bill to be entitled "An act to amend article 4741 of the Revised Statutes of the State of Texas."

[Provides that tax receipts shall be recorded by the county clerk in a well bound book and kept for the purpose, and that no receipt hereafter issued on real estate shall be admitted as evidence in any of the courts of this State, unless the same shall have been recorded as required by this article.]

Referred to Judiciary Committee No. 1.

By Senator Seale:

A bill to be entitled "An act to amend article 4405, chapter 3, title 87, of the Revised Civil Statutes of the State of Texas."

[Provides that male persons between twenty-one and fifty years of age shall be subject to road service, leaving the exemptions as they now stand and simply changes the age as above shown.]

Referred to Judiciary Committee No. 1.

By Senator Burney:

A bill to be entitled "An act to provide the manner of assessing and collecting a tax on property in newly created counties and in territory cut off from one county and attached to another county to pay their pro rata share of the indebtedness of the par-

ent county existing at the time of the severance of a part of its territory."

Referred to Committee on Finance.

By Senator Pope:

A bill to be entitled "An act to regulate railroad corporations in increasing their capital stock, and to provide penalties for violation of the same."

Referred to Committee on Internal Improvements.

The following messages were received from the House.

HOUSE OF REPRESENTATIVES,  
AUSTIN, February 11, 1889.

*Hon. T. B. Wheeler, President of the Senate:*

SIR—I am directed to inform the Senate that the House has adopted a concurrent resolution instructing the joint committee to investigate and report upon the labor and amount of appropriation necessary to complete the grading and fencing of the Capitol grounds, to extend their investigations.

Messrs. Whatley, Middlebrook and McComb have been appointed a free conference on the part of the House on the differences between the two houses on the Senate concurrent resolution to appoint a joint committee to visit the institutions of learning.

Messrs. Brown of Grayson, Campbell of Cooke and Hamblen have been appointed on the free conference committee on the part of the House on the differences between the two houses on substitute House bill No. 15.

W. M. IMBODEN,  
Chief Clerk House of Representatives.

HOUSE OF REPRESENTATIVES,  
AUSTIN, February 11, 1889.

*Hon. T. B. Wheeler, President of the Senate:*

SIR—I beg to inform the Senate that the House has adopted a concurrent resolution relative to the appointment of a joint committee to visit the place, etc., to be designated by the Governor of the State of Kansas.

W. M. IMBODEN,  
Chief Clerk House of Representatives.

The following message was received from the Governor:

EXECUTIVE OFFICE,  
AUSTIN, February 9, 1889.

*To the Senate of the State of Texas, in Session:*

On the 21st day of September, A. D.

1888, the Hon. Charles L. Cleveland was appointed by the judge of the Criminal District Court of the district composed of the counties of Galveston and Harris, vice Hon. Gustav Cook resigned; I now ask that his appointment be confirmed by your honorable body.

Respectfully,

L. S. Ross,  
Governor.

[Senator McDonald, President pro tem, in the chair.]

Senator Burney sent up the following conference committee report:

COMMITTEE ROOM,  
AUSTIN, February 11, 1889.

*Hon. T. B. Wheeler, President of the Senate, and Hon. F. P. Alexander, Speaker of the House of Representatives:*

Your Committee on Free Conference on the difference between the two houses on

Senate concurrent resolution No. 3, have carefully considered the same, and beg to recommend the following substitute for the resolution and amendments:

*Resolved by the Senate, the House of Representatives concurring,* That a joint committee of five, consisting of two members of the Senate and three of the House of Representatives be appointed by the presiding officers of each house respectively, whose duty it shall be to visit as early as practicable the Agricultural and Mechanical College, the Sam Houston Normal Institute and the Prairie View Normal School to examine into and report to this Legislature, as to the condition and management of said schools, and the State properties used in connection therewith, together with such suggestions and recommendations as they may deem proper. Said committee is authorized to select some one of the committee clerks of the House or Senate as they may determine to attend said committee, expenses to be paid out of contingent fund.

All of which is respectfully submitted.

BURNEY,  
ABERCROMBIE,  
TYLER,  
Senate Committee,  
McCOMB,  
MIDDLEBROOK,  
WHATLEY,  
House Committee.

Adopted.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
AUSTIN, February 11, 1889.

*Hon. T. B. Wheeler, President of the Senate:*

SIR—I am directed to inform the Senate that the House has passed the following bills, to-wit:

Senate bill No. 22, "An act to amend an act entitled an act to amend chapter 2, title 96 of the Revised Civil Statutes by adding thereto article 4676a, providing for the assessment of live stock in pastures in the several counties in which such pastures are situated," by a two-thirds vote, yeas 89, nays 4.

Senate bill No. 74, a bill to be entitled "An act to amend title 34, chapter 1, of the Revised Civil Statutes," with amendment, under a suspension of the rules and by a two-thirds vote—yeas, 76, nays, none.

The House has concurred in the Senate amendments to House bill No. 368, a bill to be entitled "An act to incorporate the city of Waco and to define its boundaries and powers."

The House has also passed Senate bill No. 69, a bill entitled "An act to amend article 507, chapter 11, of the Revised Civil Statutes, so as to provide for the incorporation of towns and villages situated on both sides of a line dividing two counties," under a suspension of the rule and by a two-third vote; yeas 77, nays none.

Also,

Senate bill No. 112, a bill to be entitled "An act to reorganize the Thirty-first, Thirty-second and Thirty-ninth judicial districts of Texas, and to create the Forty-sixth and Forty-seventh judicial districts of the State of Texas, to fix the times for holding courts therein and to provide for the appointment and election of judges and district attorneys in the Forty-sixth and Forty-seventh judicial districts, and to repeal all laws in conflict therewith," with amendments, under a suspension of the rules and by a two-third vote—yeas, 72; nays, 7.

And, also,

House bill No. 63, a bill to be entitled "An act to confer concurrent original jurisdiction in misdemeanor cases of which county and justices' courts of Blanco, Gillespie, Kimble, Llano and Menard counties."

And, also,

Substitute House bill No. 138, a bill to be entitled "An act to establish the

county of Coke and define the districts to which it shall belong," by a two-third vote—yeas, 83, nays, none.

And, also,

House bill No. 82, a bill to be entitled "An act to prescribe the times for holding the terms of the district court in the Eleventh judicial district.

W. M. IMBODEN,

Chief Clerk House of Representatives.

On motion of Senator Townsend,

The special order was suspended to take up Senate bill No. 255, by the following vote:

YEAS—22.

Allen,	Lane,
Armistead,	Maetze,
Burges,	McDonald,
Burney,	Morris,
Claiborne,	Pope,
Davis,	Seale,
Frank,	Sims,
Glasscock,	Stephens,
Ingram,	Townsend,
Jarvis,	Tyler,
Kimbrough,	Upshaw.

NAYS—None.

ABSENT—1.

Abercrombie,	Johnson,
Atlee,	Simpkins,
Cranford,	Woodward.

Senator Townsend moved to suspend the constitutional rule, requiring bills to be read on three several days, and read the bill the second time.

The motion requiring a four-fifths vote was lost by the following vote:

YEAS—24.

Abercrombie,	Kimbrough,
Allen,	Lane,
Armistead,	Maetze,
Atlee,	McDonald,
Burges,	Morris,
Burney,	Pope,
Claiborne,	Seale,
Davis,	Sims,
Frank,	Stephens,
Glasscock,	Townsend,
Ingram,	Tyler,
Jarvis,	Upshaw.

NAYS—None.

ABSENT—4.

Cranford,	Simkins,
Johnson,	Woodward.

Substitute for Senate bills Nos. 79

and 91, a bill to be entitled "An act amendatory of and supplementary to title LXXXVII, chapter 1, of the Revised Civil Statutes of the State of Texas, from article 4359 to 4390 inclusive, and the acts amendatory thereof passed at the called session of the Eighteenth Legislature, chapter XI, approved February 2, 1884, and chapter XIII, approved February 5, 1884, chapter XXIX, approved February 7, 1884, and acts of the Nineteenth Legislature, page 92, chapter 202, approved March 31, 1885, and to repeal all of chapter 2 of title LXXXVII pertaining to roads and bridges, and to authorize the commissioners' court to levy a tax and issue bonds to repair and improve the public roads of their respective counties, and to create a sinking fund to pay the same, and to authorize the commissioners' court to order elections to ascertain if any county or subdivision thereof are willing to be taxed to improve and keep in repair their public roads, and to repeal all laws or parts of laws not therein excepted, which are in conflict with this act,"

Being the first special order,

Was laid before the Senate and read the second time.

On motion of Senator Lane,

The substitute was adopted.

Senator Jarvis moved to consider the bill by sections.

Adopted.

(The President in the chair.)

Senator Kimbrough moved to amend article 4359 by inserting "is or" in line 10.

Adopted.

Senator Armistead moved to

Amend by striking out the enacting clause of the bill.

Senator Frank made the point of order that the friends of the bill had a right to perfect it before it was killed.

The point of order was sustained and the amendment declared out of order.

Senator Burney moved to

Amend article 4364, by changing lines 3, 4, 5 and 6 so as to read: "All stumps in any of the public roads shall either be destroyed or cut smooth with the ground."

Adopted.

• Senator Stephens moved to

Amend by adding to article 4366 the words: "Provided, that the commissioners' court of any county in this State shall have the right to lay off and condemn any school, university or asylum lands in their counties necessary for the use of public roads in the same manner as other roads are

laid off, and condemnation proceedings of such lands shall be the same as in the condemnation of all other lands for like purposes, and notice of such condemnation proceedings shall be served upon the State officers having charge or control of such school or other lands."

Senator Townsend moved to

Amend by making the amendment read: "Provided, said lands are on the market for sale under the general laws of the State."

Lost.

Senator Burney moved to

Amend amendment by striking out the words "roads are now laid off," in lines 9 and 10, and insert therefor "lands are now condemned."

Accepted.

Senator Tyler moved to

Amend the amendment of Senator Stephens to article 4366 by adding thereto the following:

Provided, that wherever practicable the roads shall be confined to the section lines as surveyed or platted on the maps of the Land Office.

Accepted.

Senator Morris moved to

Amend Senator Stephens' amendment by including in amendment after word "asylum" the words "or lands owned by the State for purposes in connection with the penitentiaries."

Accepted.

Senator Glasscock moved to

Amend further by providing that where the State has not parted with its title to such land by patent or under contract of sale, the county in which such land is situated shall have the right-of-way for such road or roads without any costs for the same.

Accepted.

Senator Stephens' amendment, as amended, was lost.

Senator Burney moved to

Amend article 4367, by striking out the word "possible," in line 3, "printed bill," and insert therefor the words "is practicable."

Adopted.

Senator Lane move to

Add after line 6, "except upon unanimous vote of all the commissioners present."

Adopted.

Senator Frank moved to

Amend article 4369, line 11, by inserting after the word "court" the following: "At a regular term thereof."

Adopted.

Senator Frank moved to

Amend line 11 by inserting after the

words "non-use," the following: "Of said road."

Adopted.

Senator Tyler moved to

Amend article 4370 by striking out the words "except where there is an impassable barrier on the line of said road," and insert the words "except by unanimous vote of the commissioners present at a regular term of the commissioners' court."

Adopted.

Senator Glasscock moved to

Amend by striking out all after the word "road" in line 3.

Adopted.

Senator Townsend moved to

Amend by striking out in section 4371, line 12, the words "to be established."

Adopted.

Senator Townsend moved to

Amend by adding at end of section 4372 the words "or owners each respectively."

Adopted.

(Senator Armistead in the chair.)

Senator Morris moved to

Amend article 4373 by adding there to the following: "Provided, no road shall be laid out or established through any enclosure consisting of a homestead, or part of a homestead of not more than two hundred acres, without the consent of the owner of the same."

Lost by the following vote:

YEAS—5.

Davis,  
Ingram,  
Morris,

Pope,  
Upshaw.

NAYS—18.

Abercrombie,  
Allen,  
Armistead,  
Atlee,  
Burgess,  
Frank,  
Glasscock,  
Jarvis,  
Johnson,

Kimbrough,  
Lane,  
Maetze,  
McDonald,  
Seale,  
Sims,  
Stephens,  
Townsend,  
Tyler.

ABSENT—5.

Burney,  
Claiborne,  
Cranford,

Simkins,  
Woodward.

Senator Townsend moved to

Amend by striking out section 4373, line 8, by striking out the word "fifty" and inserting the word "twenty."

Adopted.

Senator Burgess moved to

Postpone the further consideration



of the bill till to-morrow, after morning call.

Adopted.

(The President in the chair.)

The President referred

House bill No. 63 to Judiciary Committee No. 2, House bill No. 82 to Committee on Judicial Districts, and substitute House bill No. 138, to the Committee on Counties and County Boundaries.

On motion of Senator Frank, by unanimous consent of the Senate,

The second special order was suspended and the Senate concurred in the House amendments to Senate bill No. 74; and

On motion of Senator Stephens, the Senate concurred in the House amendments to Senate bill No. 112.

On motion of Senator Burges,

The Senate adopted the following House concurrent resolution:

*Be it resolved by the House of Representatives, the Senate concurring, that an additional member of the House be added to the number of those appointed in the House concurrent resolution creating a joint committee to meet in convention at such point as the Governor of Kansas may name to confer with committees from other States interested with reference to the beef combine.*

Senator McDonald called up Senator Johnson's following resolution:

*Resolved, That no person admitted upon the floor of the Senate, other than the State officials, reporters, heads of departments, members of either house of the Legislature, officers and employees of the Senate and House of Representatives, shall approach any Senator at his seat or desk during the session of the Senate, and the Sergeant-at-Arms is hereby instructed to supply the Senate with sufficient chairs to accommodate all persons invited to the floor of the Senate, and to see that this rule is rigidly enforced.*

Senator Townsend moved to

Amend by providing that the provisions of the resolution, so as to make it apply only to members who are approachable, and those to send their names to the Secretary.

On motion of Senator Claiborne,

The amendment was tabled.

Senator Townsend moved to reconsider the vote just taken.

Lost.

Senator Pope moved to

Amend so as not to apply to persons who may be invited by a Senator.

Adopted by the following vote:

YEAS—21.

Abercrombie,	Lane,
Allen,	Maetze,
Armistead,	Morris,
Atlee,	Pope,
Burges,	Seale,
Burney,	Sims,
Davis,	Stephens,
Frank,	Townsend,
Glasscock,	Tyler,
Ingram,	Upshaw.
Jarvis,	

NAYS—4.

Claiborne,	Kimbrough,
Johnson,	McDonald.

ABSENT—2.

Simkins,	Woodward.
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Senator Burney moved to postpone the further consideration of the resolution and to refer it to the Committee on Rules.

Adopted by the following vote:

YEAS—19.

Abercrombie,	Maetze,
Allen,	Morris,
Burges,	Pope,
Burney,	Seale,
Claiborne,	Sims,
Davis,	Stephens,
Glasscock,	Townsend,
Ingram,	Tyler,
Jarvis,	Upshaw.
Lane,	

NAYS—6.

Armistead,	Johnson,
Atlee,	Kimbrough,
Frank,	McDonald.

ABSENT—2.

Simkins,	Woodward.
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Senator Kimbrough entered a motion to

Reconsider the vote by which the Senate passed

Senate bill No. 43, a bill to be entitled "An act to purchase State convict farm and improve the same and work convicts thereon, and to make an appropriation therefor."

On motion of Senator Lane

The Senate adjourned till 10 o'clock to-morrow morning.